

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RONALD GARREN,

Plaintiff,

v.

JAMES DZURENDA, *et al.*,

Defendants.

Case No. 3:23-cv-00141-MMD-CSD

ORDER

This action began with a pro se civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state prisoner. Plaintiff paid the full filing fee in this matter. The Court entered a screening order on November 16, 2023. (ECF No. 10.) The screening order imposed a 90-day stay, and the Court entered a subsequent order in which the parties were assigned to mediation by a court-appointed mediator. (ECF Nos. 10, 17). The Office of the Attorney General has filed a status report indicating that settlement has not been reached and informing the Court of its intent to proceed with this action. (ECF No. 24.)

IT IS THEREFORE ORDERED that:

1. The Clerk of the Court electronically **SERVE** a copy of this order and a copy of Plaintiff's complaint (ECF No. 11) on the Office of the Attorney General of the State of Nevada by adding the Attorney General of the State of Nevada to the docket sheet. This does not indicate acceptance of service.
2. Service must be perfected within 90 days from the date of this order pursuant to Fed. R. Civ. P. 4(m).
3. Subject to the findings of the screening order (ECF No. 10), within 21 days of the date of entry of this order, the Attorney General's Office must file a notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it

1 accepts service; (b) the names of the defendants for whom it does not accept
2 service, and (c) the names of the defendants for whom it is filing the last-known-
3 address information under seal. As to any of the named defendants for whom
4 the Attorney General's Office cannot accept service, the Office must file, under
5 seal, but must not serve the inmate Plaintiff, the last known address(es) of
6 those defendant(s) for whom it has such information. If the last known address
7 of the defendant(s) is a post office box, the Attorney General's Office must
8 attempt to obtain and provide the last known physical address(es).

- 9 4. If service cannot be accepted for any of the named defendant(s), Plaintiff must
10 file a motion identifying the unserved defendant(s), requesting issuance of a
11 summons, and specifying a full name and address for the defendant(s). For the
12 defendant(s) as to which the Attorney General has not provided last-known-
13 address information, Plaintiff must provide the full name and address for the
14 defendant(s).
- 15 5. If the Attorney General accepts service of process for any named defendant(s),
16 such defendant(s) must file and serve an answer or other response to the
17 complaint (ECF No. 11) within **60 days** from the date of this order.
- 18 6. Plaintiff must serve upon defendant(s) or, if an appearance has been entered
19 by counsel, upon their attorney(s), a copy of every pleading, motion or other
20 document submitted for consideration by the Court. If Plaintiff electronically files
21 a document with the Court's electronic-filing system, no certificate of service is
22 required. Fed. R. Civ. P. 5(d)(1)(B); Nev. Loc. R. IC 4-1(b); Nev. Loc. R. 5-1.
23 However, if Plaintiff mails the document to the Court, Plaintiff must include with
24 the original document submitted for filing a certificate stating the date that a
25 true and correct copy of the document was mailed to the defendants or counsel
26 for the defendants. If counsel has entered a notice of appearance, Plaintiff must
27 direct service to the individual attorney named in the notice of appearance, at
28 the physical or electronic address stated therein. The Court may disregard any

document received by a district judge or magistrate judge which has not been filed with the Clerk, and any document received by a district judge, magistrate judge, or the Clerk which fails to include a certificate showing proper service when required.

7. This case is no longer stayed.

DATED: February 15, 2024.


UNITED STATES MAGISTRATE JUDGE